

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re)	Chapter 11
)	
)	
W.R. GRACE & CO., et al.,)	Case No. 01-01139 (JKF)
)	
)	
Debtors.)	(Jointly Administered)
)	

**AMENDED RE-NOTICE OF INTENTION TO TAKE THE VIDEOTAPED
DEPOSITION OF RICHARD LEE**

To: Defendant W.R. Grace & Co.

PLEASE TAKE NOTICE that the Official Committee of Asbestos Property Damage will take the videotaped deposition of RICHARD LEE commencing at 9:00 a.m. on Friday, the 5th day of January, 2007, at the office of Reed Smith LLP, 435 Sixth Avenue, Pittsburgh, Pennsylvania 15219. RICHARD LEE shall be required to produce at his deposition the documents set forth on the Subpoena Duces Tecum attached hereto as Exhibit A. The deposition will be upon oral examination before a Notary Public or other officer authorized to administer oaths by the laws of the United States or the State of Pennsylvania.

You are invited to attend and cross-examine.

Dated this 18th day of December, 2006.

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Copies furnished to:

Atkinson-Baker, Inc. Court Reporting
Telephone 1-800-288-3376
Fax 1-800-925-5910

EXHIBIT A - LEE

The witness, Richard Lee (also referred to as "he"), shall be required to bring to the deposition the following documents:

1. All documents, data, objects, publications or other materials which the witness has been provided in connection with this bankruptcy case, or which he has reviewed or upon which he will rely for his opinions in connection with the "Methodology" issue and/or adjudication phase in this case, including without limitation any articles, studies, presented papers, correspondence, reports, draft reports, plans, protocols, guidelines, critiques, books, photographs, slides, videotapes, charts, data, testimonies, depositions, presentations, asbestos bulk, dust and/or air samples, or testimony results thereof.
2. All expert reports prepared he has prepared in this bankruptcy case, including but not specifically limited to: the October 17, 2005 Expert Report on Limitations of Dust Sampling Methodology; the January 19, 2006 Rebuttal Expert Report: Limitation of Dust Sampling Methodology and the November 14, 2006 Rebuttal Expert Report Evaluation of Longo Dust Studies.
3. Any proposal from RJ Lee and/or RJ Lee Group, Inc. and/or jointly with any other person or entity to provide assessment, inspection, survey and/or analysis of bulk, air and/or dust sampling with regard to the presence of ACM in buildings.
4. All correspondence between RJ Lee and/or RJ Lee Group, Inc. and EPA, OSHA and/or any other regulatory agency and/or the American Society for Testing and Materials ("ASTM") concerning asbestos assessment, air, dust and/or bulk sampling with regard to ACM in buildings.
5. Any and all documents, studies, materials, information and/or data provided to RJ Lee and/or RJ Lee Group, Inc. by any person, entity or company that pertains to the ACM fireproofing and/or acoustical products formerly manufactured by W.R. Grace.
6. Copy of RJ Lee Group, Inc. 1995 video tape regarding the measurement of fiber release during pulverization of friable fireproofing.
7. Copy of RJ Lee Group, Inc. video tape, "Ultrasonic Breakup of Chrysotile Grade 7m and Fireproofing," dated March 2, 1993.
8. Copy of draft of ASTM guidance document for surface dust (WK7719) and/or any correspondence, papers, materials or data related thereto which was referenced in the RJ Lee Expert Report.
9. Draft ASTM research report no. xxxxy for D5755 ASTM (2002), referenced in RJ Lee Rebuttal Expert Report dated January 19, 2006 at footnote 13, page 8.

10. Copy of RJ Lee and/or RJ Lee Group, Inc. reports concerning surface dust contamination in the Delaware Trust, 130 Liberty Street, and 4 Albany Street buildings which is referenced in the RJ Lee Rebuttal Expert Report dated January 19, 2006.
11. Copy of 2002 USA Today article quoting RJ Lee, referenced at page 13 of the RJ Lee Rebuttal Expert Report dated January 19, 2006.
12. RJ Lee Group, Inc. (1992) crumbling experiment and/or video of same referenced in RJ Lee Rebuttal Expert Report.
13. Copy of RJ Lee Group, Inc. video tape "The Measurement of Fiber Release During Pulverization of Friable Fireproofing," September 1995 referenced in RJ Lee Rebuttal Expert Report dated November 14, 2006.
14. The specific version of each internal laboratory protocol used by you, your laboratory or any entity under your control for any air or dust sample collection, analysis and or report(s) upon which you have or will rely for your opinions in this case, including but not limited to the sample collection, analyses and/or reports forming a basis for any article, study, or report upon which you will rely at trial; and all subsequent revisions adopted and/or used by you, your laboratory or any entity under your control subsequent to the version used for any of the above 'reliance' analyses or report(s).
15. All count sheets for any air or dust sample collection, analysis and/or reports upon which you have or will rely for your opinions in this case, including but not limited to the sample collection, analyses and/or reports forming a basis for any article, study or report upon which you will rely at trial.
16. All correspondence, notes, journal entries or memoranda or other records of communication in your possession or control between any journal or other publishing entity or its representatives and you, your laboratory or any of your employees, students or co-authors concerning the actual or contemplated submission of any article or study concerning asbestos, asbestos in buildings, air sampling or analysis, and/or dust deposition, redispersion, sampling and/or analysis that was authored, co-authored or contributed to by you for peer review or publication from 1999 to the present.
17. All correspondence, notes, journal entries, invoices or memoranda or other records or communication in your possession or control between any law firm or former asbestos manufacturer or its employees or representatives and you, your laboratory or any of your employees, students or co-authors concerning the actual or contemplated submission of any article, study or report concerning asbestos, asbestos in buildings, air sampling or analysis, dust deposition, dust redispersion, and/or dust sampling or analysis that was written, co-authored or contributed to by you for peer review or publication from 1999 to the present.